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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,999	01/16/2004	Dong-ha Chol	1349.1320	5021

21171 7590 11/30/2006

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EXAMINER

JACKSON, ANDRE L

ART UNIT PAPER NUMBER

3677

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/757,999

Applicant(s)

CHOL, DONG-HA

Examiner

Andre' L. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-14 and 16-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-5 and 7-10 is/are allowed.
- 6) ☒ Claim(s) 11-14,17 and 21-25 is/are rejected.
- 7) ☒ Claim(s) 16 and 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau. (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 13, 2006 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11-14, 17 and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,684,456 to Lee. Lee discloses a hinge apparatus connecting a cover (2) and a main body (4), the hinge apparatus comprising;

a hinge body (113, 126), with a void (129) therein and a supporting bracket (127), movable in an opening (41) in the main body; a pressure device (125,125', 121), movable within the void, and biased toward a first end of the hinge body; and a hinge cam (115) connected to the cover, rotatably connected to the supporting bracket, and slidably engaging the pressure device;

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wherein the hinge body comprises a first protrusion (143), to limit an amount the hinge body moves in the opening of the main body.

As to claims 12 and 13, the hinge cam and each of the supporting brackets are provided with a shaft hole (118, 128) respectively, and the hinge apparatus further comprises a hinge shaft (111) inserted through the respective shaft holes to pivotably connect the hinge cam to the supporting brackets. The hinge shaft includes at least one groove (112) and the hinge apparatus further includes at least one coupling ring (136) fixed to the groove of the hinge shaft to maintain the position of the shaft with respect to the shaft holes.

As to claim 14, the first protrusion is provided in the hinge cam and a receiving opening (144) is disposed on the supporting bracket to connect with the protrusion there-through.

As to claim 17, the pressure device is biasing springs (125, 125') and a pusher (121) and the hinge body comprises a biasing support (131), wherein a first end of the biasing springs engages an end of the pushers and a second end of the biasing springs engages the biasing support.

As to claims 22 and 23, the hinge cam comprises a body portion (114) connected to the cover; and a cam part (171-173) slidably engaging the pressure device.

As to claim 24, as seen in Fig. 6, a center of the hinge shaft is located toward the document glass compared to a pressure central line of the pressure device, where a predetermined distance, to inhibit rotation of the hinge cam, offsets a center of rotation of the hinge shaft.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee. Although Lee does not specifically disclose that the operating components of Lee's hinge apparatus is formed of a plastic resin material, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention was made to form the hinge apparatus of Lee of a plastic resin material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. Here, it is common knowledge to choose a material, such as a plastic resin, that exhibits sufficient strength, durability, non-abrasiveness and lightweight properties to be incorporated into a hinge apparatus similar to the prior art to provide a long lasting and trouble-free hinge apparatus requiring little or no maintenance of the operating parts.

Allowable Subject Matter

Claims 1, 3-5 and 7-10 are believed to be allowable over the prior art made of record.

Claims 16, 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Applicant's Arguments

In response to applicant's remarks on pages 7 and 8 and applicant's amendment to the claims as expressed in the Amendment filed on February 24, 2006 pertaining to independent claim 1, the Examiner agrees with applicant viewpoint and respectfully withdraws the rejection over Lee applied to claims 1, 3-5 and 7-10. Thus, the Examiner believes claims 1, 3-5 and 7-10 as presently amended are patentably distinct from Lee. However, independent claim 11 is unchanged, broader in scope in comparison to amended claim 1 and remains rejected as being unpatentable over Lee as set forth in this Action above. Subsequently, claims 12-14, 16, 17 and 22-25 are also rejected over Lee. Claims 16 and 18-20 are objected to.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (571) 272-7067. The examiner can normally be reached on Mon. - Fri. (10 am - 6:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

André L. Jackson
Patent Examiner
AU 3677

ALJ


Katherine Mitchell
Primary Examiner